

PATENT

Attorney Docket No. 106.48

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)

Joshua D. KAPLAN)

Application No.: 09/412,404)

Filed: October 5, 1999)

For: **NETWORK APPARATUS AND
METHOD FOR PREVIEW OF
MUSIC PRODUCTS AND COMP-
ILATION OF MARKET DATA**)

A Continuation of:)

Serial No. 08/741,915, filed Oct. 31, 1996)

Examiner: FADOK, Mark A.

Art Unit: 2165

RESPONSE TO OFFICE ACTION
DATED APRIL 19, 2002**CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37**

CFR

I hereby certify that the correspondence is being facsimile
transmitted to the U.S. Patent and Trademark Office on this date
August 9, 2002, addressed to Asst. Commissioner for Patents,
Washington, D.C. 20231, facsimile no. 703-746-7239; Examiner:

Fadok.

By: 

Sandra D. Hunter.

Asst. Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Office Action mailed April 19, 2002, applicant submits this Amendment and Response for consideration. Please amend the claims to read as below and as indicated on the appended version with markings to show changes made, and consider the attached remarks. By this amendment, claims 39-51 and 61-66 have been cancelled (without prejudice, see below)¹, and claims 21, 25-38 and 52-60 have been amended.

AMENDMENTS

Please amend the above-identified application as follows:

In The Claims:

Please cancel claims 39-51 and 61-66 without prejudice to their being re-filed and prosecuted in this application, or re-filed and prosecuted in a continuing patent application.

¹ As the Examiner has presented disparate rejections to both the video products claims and the written works claims, the written works claims have been cancelled and are being filed in a continuing application.